

Judith A. Archer
Sarah E. O'Connell
David B. Schwartz
NORTON ROSE FULBRIGHT US LLP
1301 Avenue of the Americas
New York, NY 10019
Tel.: (212) 318-3000
Fax: (212) 318-3400
judith.archer@nortonrosefulbright.com
sarah.oconnell@nortonrosefulbright.com
david.schwartz@nortonrosefulbright.com

*Attorneys for Ralph C. Dawson, as Receiver for
Defendant Ascot Partners, L.P., and Ascot Fund
Ltd.*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

X

Adv. Proc. No. 08-01789 (SMB)

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

•
•
•
•
•
•
•
•

SIPA LIQUIDATION

(Substantively Consolidated)

Debtor.

PERTAINS TO THE FOLLOWING CASE:

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

-V-

•
•
•
•
•
•

Adv. Proc. No. 09-1182 (SMB)

J. EZRA MERKIN, GABRIEL CAPITAL,
L.P., ARIEL FUND LTD., ASCOT
PARTNERS, L.P., ASCOT FUND LTD.,
GABRIEL CAPITAL CORPORATION,

Defendants.

X

**NOTICE OF MOTION *IN LIMINE* TO EXCLUDE
THE EXPERT TESTIMONY OF LISA M. COLLURA**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion *in Limine* to Exclude the Expert Testimony of Lisa M. Collura, the Declaration of Judith A. Archer, dated May 17, 2017, and the exhibits thereto, and all pleadings, papers and proceedings filed in this action, Defendants Ascot Partners, L.P., through its Receiver, Ralph C. Dawson, Ascot Fund Ltd., J. Ezra Merkin and Gabriel Capital Corporation, shall move this Court for an Order excluding the expert testimony of Lisa M. Collura, pursuant to Federal Rules of Evidence 401, 403, and 702, made applicable to this adversary proceeding by Federal Rule of Bankruptcy Procedure 9017.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at a date and time as scheduled by the Court, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, to the Motion shall be filed with the Bankruptcy Court no later than June 6, 2017, and reply papers, if any, shall be filed with the Bankruptcy Court no later than June 16, 2017.

Dated: May 17, 2017
New York, New York

NORTON ROSE FULBRIGHT US LLP

By: /s/ Judith A. Archer
Judith A. Archer
Sarah E. O'Connell
David B. Schwartz
1301 Avenue of the Americas
New York, New York 10019
Tel. No.: (212) 318-3000
Fax No.: (212) 318-3400
judith.archer@nortonrosefulbright.com
sarah.oconnell@nortonrosefulbright.com
david.schwartz@nortonrosefulbright.com

*Attorneys for Ralph C. Dawson, as Receiver
for Defendant Ascot Partners, L.P., and Ascot
Fund Ltd.*

DECHERT LLP

By: /s/ Neil A. Steiner
Andrew J. Levander
Neil A. Steiner
Daphne T. Ha
Mariel R. Bronen
1095 Avenue of the Americas
New York, New York 10036
(212) 698-3500
andrew.levander@dechert.com
neil.steiner@dechert.com
daphne.ha@dechert.com
mariel.bronen@dechert.com

*Attorneys for Defendants J. Ezra Merkin and
Gabriel Capital Corporation*